

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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**JOSEPH CHARLES FREY,  
Petitioner,**

v.

**Case No. 08C0347**

**BRADLEY HOMPE,  
Respondent.**

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**ORDER**

On April 24, 2008, Joseph Charles Frey filed this petition pursuant to 28 U.S.C. § 2254. Respondent answered the petition, and on June 30, 2008, petitioner filed a document styled as a “reply” to the answer. On August 11, 2008, respondent filed a motion indicating that he was unsure whether petitioner’s “reply” was really his brief in support of his petition. Respondent also asked for an extension of time to file his response brief, if petitioner did indeed mean for his “reply” to serve as his brief in support of the petition. Petitioner has filed a response to respondent’s motion indicating that his “reply” was his brief in support, and therefore respondent should construe it as such. Respondent shall have 30 days from the date of this order to file its brief in opposition to the petition. Petitioner shall have 30 days from the date on which respondent files his brief in opposition to the petition to file a reply brief in support of the petition.

**THEREFORE, IT IS ORDERED** that respondent's motion for clarification and alternative motion for extension of time is **GRANTED** to the extent described in this order.

Dated at Milwaukee, Wisconsin, this 26 day of August, 2008.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge